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REMARKS:

In regard to the objection under 35 U.S.C. 112 a minor correction has been made in Claim 37 to mention the "fan" only AFTER the proper antecedent for the fan.

The allowance of independent Claim 1 and Claims 4 to 17 dependent on Claim 1 is appreciated and these remain unamended.

In regard to independent Claim 20, this has been amended to make more clear that all the components of each air handling system are connected by a respective duct so as to communicate air therebetween. Thus, it is now clear that each air handling system includes "a respective duct, a respective air intake plenum, a respective fan, a respective connection (to the exterior), a respective outlet duct and a respective air conditioning component (all of which are) connected to the respective duct for communication of air therebetween through the respective duct"

The Examiner has rejected Claim 20 under 35 U.S.C.103 based on Takano in view of Meckler.

In Takano there is for all the benches a common fan 6, common duct, common opening 12 to the exterior, common inlet 11 from the interior and probably common air conditioning components although this is not clear since there is no disclosure in this regard. The Examiner thus is relying, in regard to the independent air handling system of this claim, on the disclosure of Meckler.

Claim 20 is distinguished from Meckler for two reasons. Expressed simply these are:

Firstly that Meckler discloses separate HVAC systems for separate zones or spaces of a building. Meckler does NOT disclose that a common zone containing a plurality of benches has for each bench a separate air handling system. Thus, it is of course common that a building has a series of different and separate zones, such as separate floors of the building and separate suites in the building which have separate HVAC systems. This is ALL that Meckler discloses. The figures clearly show separate floors of the building. Column 1, line 32 clearly says that each "services a separate conditioned zone".

In the present invention a single greenhouse forming a SINGLE ZONE contains benches which are of course not separated each from the next within the single zone and each bench has its own air handling system.

If one therefore combines the teaching of Takano and Meckler one would simply provide a greenhouse having separate sections divided by walls, or on different floors, as in Meckler and would provide for each section provide an air handling system. This combination does not teach the present invention where each bench has its own air handling system.

Secondly the invention as defined includes in each air handling system a duct and an air outlet to the exterior which is connected into the same duct as the air inlet and air outlet of the duct. In Figure 1 of Meckler there is to each of the three zones Z an air outlet 69 which is not connected to the same duct as the A/C A and also an outlet 12 which is connected to a common system including the pre-conditioner C. Thus

in Meckler each separate zone has its own A/C system A connected into a duct 10/11. But this duct (shown by the air directions "SA" and "RA") does NOT have a connection to the outside. Instead the connection to the outside is provided through the common system 11, 12 and C. (The Examiner will note some confusion is caused by the fact that reference numeral 11 has been used twice for different items but it will be understood that the system through each A/C A is individual for each zone whereas there is a common system to the exterior for all zones through the air pre-conditioner C.)

If one therefore combines the greenhouse and benches of Takano with the teaching of Meckler, separate zones of the greenhouse will have a common system communicating to the exterior, which is clearly different from the invention as defined in (and now made more clear in amended) Claim 20.

It is well established in MPEP paragraph 2143 that, in order to establish a prima facie case of obviousness, the Examiner must show prior art documents which in combination teach or suggest ALL the claim limitations. The Examiner therefore has no prior art document which discloses or suggests this feature of the common duct for the bench including also the exterior connection, so that a prima facie case of obviousness for rejection under 35 U.S.C.103 has not been established and cannot be maintained.

In addition it is submitted that the present invention is entirely counter-intuitive in that it provides individual components as defined for the individual benches and thus apparently is an inefficient arrangement ignoring the economies of scale, so that the invention cannot be merely an obvious combination.

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In regard to independent Claim 37, this has been amended to include the patentable features of Claim 38 (which is now cancelled). Thus Claim 37 now includes a plurality of benches where each has the respective air handling system thereof arranged so that there a respective air inlet underneath the respective bench and an air outlet above the respective bench.

The Examiner in the Official Action has indicated that Claim 38 is allowable if written in independent form.

It is submitted that this conclusion is a proper conclusion in that Claim 37 as now amended is clearly distinguished from Lewis so that no rejection is proper under 35 U.S.C.102. In particular Lewis certainly does not disclose the feature that there is a plurality of benches each having its own inlet below and outlet above the respective bench as now defined in Claim 37 with those inlets and outlets being independent of those of other benches.

No rejection has been made under 35 U.S.C.103 against original Claim 38 (the features of which are now in now independent Claim 37) and this is also proper in that a combination of Lewis with any of the prior art showing benches in a greenhouse would merely provide a central air communication system for the greenhouse (or the building of Lewis) so that air will be drawn generally from the floor and generally released at the ceiling. Amended Claim 37, as including separate benches and separate respective air handling systems, is distinguished from such a combination.

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It is submitted therefore that Claims 20 and Claim 37 as amended are in good order for allowance and reconsideration is respectfully requested.

Respectfully submitted

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